

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re Patent Application of:

Behnam AZVINE, *et al.*

Atty. Ref.: LSN-36-1956

Serial No.: 10/568,183

T.C./A.U.: 3687 – Conf. No.: 5484

Filed: February 13, 2006

Examiner: Russell S. Glass

For: DIARY MANAGEMENT METHOD AND SYSTEM

\* \* \* \* \*

December 27, 2010

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR WITHDRAWAL OF “FINAL”  
DESIGNATION TO LAST OFFICE ACTION**

The office action dated December 17, 2010, imposes entirely new grounds of rejection and alleges that applicants’ prior amendment “necessitated the new ground(s) of rejection”. However, the only amendments made by applicants (other than correcting the spelling of the word “analyzing” to the “American” form) was to change “in a cluster” to the phrase “in each of a plurality of said clusters” and to make explicit the recitation of “that cluster” by reciting “each said cluster”.

As explained in applicants’ earlier remarks of August 23, 2010, these amendments were merely for the purpose of ensuring that the original claims were properly interpreted – and not susceptible to any possible misinterpretation. Such amendments should have not “necessitated” any change in the grounds of rejection.

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Therefore, in accordance with standard USPTO practice, it is respectfully submitted that the office action dated December 17, 2010, should not have been designated "final". Withdrawal of such designation is respectfully requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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